

11 - schedule designating for at least one unit of said stored units of programming at least  
12 one of:

13 (a) a time to communicate the unit of programming to a subscriber; and

14 (b) an output channel to be used for communicating the unit of  
15 programming to a subscriber;

16 a signal detector connected to the computer for detecting the unit identification  
17 signals communicated with said units of programming;and

18 said computer programmed to perform the following steps for each unit  
19 designated in the programming schedule:

20 (a) identifying one of said storage devices storing the unit of programming;

21 (b) configuring said switch and controlling said storage device to output the  
22 unit of television programming with its unit identification signal;

23 (c) communicating the outputted unit of programming to a subscriber  
24 according to the programming schedule;and

25 (d) logging the communication of each said unit of programming based on  
26 information or data provided by the signal detector.--.

#### REMARKS

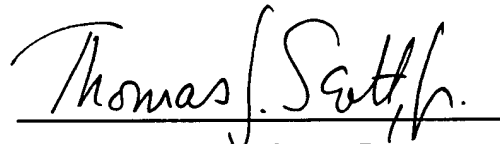
The Office Action mailed October 5, 1994 has been carefully reviewed and the foregoing amendments made in response thereto. Claims 4, 6, 12, 14, 15, 21, 24-30, 41, 43 and 45-48 have been canceled. Claims 1-3, 5, 7-11, 13, 16-20, 22, 23, 31-40, 42, 44 and 49-52 have been amended and claims 53-84 have been added, and remain active in this application. All pending claims are believed to comply with 35 U.S.C. § 112, and withdrawal of the § 112 rejection is respectfully requested. Applicants respectfully submit that the originally filed claims 1-52 were understandable and examinable. Therefore, it would be improper to make the next Office Action Final.

The Examiner has cited U.S. Patent No. 4,616,263 to Eichelberger. The above-captioned application claims priority under 35 U.S.C. § 120 from application serial number 317,510 filed November 3, 1981, now U.S. Patent No. 4,694,490. Support under 35 U.S.C. § 112 for all pending claims may be found in the disclosure of its parent application, now U.S. Patent No. 4,694,490. Therefore, Eichelberger is not prior art

against the claims of the above-captioned application. A copy of U.S. Patent No. 4,694,490 is enclosed for the Examiner's convenience.

The Examiner is invited to contact the undersigned at (202) 383-6614 to resolve any outstanding issues or before issuing the next Office Action.

Respectfully submitted,

  
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Reg. No. 27,836

Date: December 14, 1994